

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JESSE VAN MYERS

Plaintiff,

VS.

MICHAEL JOHANNNS, Secretary  
United States Department of Agriculture,  
ET AL.

Defendants.

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NO. 3-06-CV-2060-K

**ORDER**

After conducting a review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b)(1), I am of the opinion that the Findings and Recommendation of the Magistrate Judge are correct, and they are hereby accepted as the Findings of the Court. Plaintiff's Response in Opposition to the Recommendation of U.S. Magistrate Judge Kaplan (construed as Objections to the Findings Conclusions and Recommendation of the U.S. Magistrate Judge), filed on January 22, 2007, are **OVERRULED**.

SO ORDERED.

Signed this 24<sup>th</sup> day of January, 2007.



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UNITED STATES DISTRICT JUDGE